

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

closed
FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

SEP 29 2014

MICHAEL S. RICHIE
CLERK

THE CLERK SHALL ENTER THE FOLLOWING ORDERS OF THE COURT:

- 1 **C-2014-0426**
 Atoka County
 Case Nos. CF-2013-112
 and CM-2010-132
 Honorable Paula Inge,
 District Judge

JERRY ROBERT ANSLEY, JR. v. STATE OF OKLAHOMA

RECEIVED

SEP 29 2014 gw

ORDER DISMISSING CERTIORARI APPEAL

ATTORNEY GENERAL

Appellant requests that this appeal be dismissed and submits a properly executed affidavit as required by Rule 3.12(B)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Appellant requests that the prosecution of the appeal cease, and acknowledges that once dismissed, the appeal cannot be reinstated. Appellant's certiorari appeal is **DISMISSED**. Pursuant to Rule 3.15, *Id.*, the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

- 2 **HB-2014-0793**
 Tulsa County
 Case No. CF-2013-941
 Honorable William J. Musseman
 District Judge

IN RE: HABEAS CORPUS OF PHILLIP HUDSON, JR. v. STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Petitioner's request for extraordinary relief was denied by the District Court in an order filed August 8, 2014. Petitioner's request for extraordinary relief filed with this Court was due for filing with this Court on or before September 7, 2014, but was not filed until September 15, 2014. Petitioner failed to file the request for extraordinary relief with the Clerk of this Court within thirty (30) days from the filing date of the District Court's order as required by Rule 10.1(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Petitioner's request was not timely filed. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

- 3 **C-2014-576**
 Tulsa County
 Case No. CF-2012-4414
 Honorable Tom Gillert
 District Judge

JERRY LEON MASON v. STATE OF OKLAHOMA



Order 09-15-14

failed to timely file the Petition in Error with the Clerk of this Court within thirty (30) days from the filing date of the District Court's final order. See, Rule 5.2(C)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). The Court **DECLINES** jurisdiction and **DISMISSES** this matter. If Petitioner feels he has been denied a post-conviction appeal through no fault of his own, he may seek the appropriate relief with the District Court. See, Rule 2.1(E)(3), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014).

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

6 **C-2014-647** **CHELSEA NICOLE HURST v. STATE OF**
 Cleveland County **OKLAHOMA**
 Case No. CF-2012-1888
 Honorable Lori Walkley
 District Judge

ORDER DISMISSING APPEAL

Petitioner did not file the Notice of Intent to Appeal and Designation of Record in the District Court within ten (10) days of the date the judgment and sentence was imposed as required by this Court's Rule 2.5(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Filing of the Notice of Intent to Appeal and Designation of Record is jurisdictional, and failure to timely file constitutes waiver of the right to appeal. Petitioner's appeal is **DISMISSED**. If Petitioner feels she has been denied an appeal through no fault of her own, she may seek the appropriate relief with the District Court. See, Rule 2.1(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Issuance of this order concludes proceedings before this Court.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

7 **OD-2014-711** **CARLOS RAY JOY v. STATE OF OKLAHOMA**
 Stephens County
 Case Nos. CF-2012-293
 and CF-2013-92
 Honorable Dennis L. Gay
 Associate District Judge

ORDER DISMISSING APPEAL

Petitioner did not file the Notice of Appeal in the District Court within ten (10) days of the date the order of detention was imposed as required by this Court's Rule 8.8(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Filing of the Notice of Appeal is jurisdictional, and failure to timely file constitutes waiver of the right to appeal. Petitioner's appeal is **DISMISSED**. If Petitioner feels he has been denied an appeal through no fault of his own, he may seek the appropriate relief with the District Court. See, Rule

Order 09-15-14

2.1(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014).
Issuance of this order concludes proceedings before this Court.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

8 **MA-2014-736** **MARTRELL D. POLIN v. DISTRICT COURT**
Oklahoma County **OF OKLAHOMA COUNTY**
Case No. CF-2009-2615
Honorable Jerry Bass
District Judge

ORDER DISMISSING REQUEST AS MOOT

On September 11, 2014, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

9 MA-2014-799 ALVIS C. HIGGINS v. STATE OF
Tulsa County OKLAHOMA
Case No. CF-2000-5424
Honorable William Musseman
District Judge

ORDER DISMISSING REQUEST AS MOOT

On August 13, 2014, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

IT IS SO ORDERED.

WITNESS MY HAND AND THE SEAL OF THIS COURT this 29th day
of September, 2014.

DAVID B. LEWIS, Presiding Judge

ATTEST:
Michael S. Richie
 Clerk